

## Greater Manchester Combined Authority

Date: Friday 27<sup>th</sup> September 2024

Subject: Golborne Station Land Acquisition Strategy

Report of: Andy Burnham, Mayor of Greater Manchester, Portfolio Lead for Transport and Caroline Simpson, Group Chief Executive, GMCA, GMFRS & TfGM

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### Purpose of Report

This report sets out the proposed strategy for acquiring land interests required to deliver the Golborne New Station Project and seeks approval to make offers for those interests and secure those land interests whilst also commencing the drafting of a Compulsory Purchase Order (CPO) and supporting documentation and progressing the planning consents.

### Recommendations:

The GMCA is requested to:

1. Note the update from the DfT Outline Business Case review and associated risks highlighted.
2. Note the proposals for securing the land interests required to deliver the scheme as set out within this report.
3. Approve TfGM securing the required land interests in accordance with the agreed programme budgets.
4. Approve submission of a planning application for the scheme and the preparation of the CPO and supporting documentation including issuing Land Interest Questionnaires to affected landowners.
5. Approve the entering into of any ancillary agreements required to achieve the scheme objectives.

### Contact Officers

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## **Equalities Impact, Carbon and Sustainability Assessment:**

### **Risk Management**

Failure to progress planning application and land negotiations at this time will lead to delay to delivery of the scheme within the committed timeframes and funding envelope.

Whilst negotiations with affected landowners are progressing well, a CPO and supporting documentation should be prepared in parallel to provide the back-up needed should we fail to acquire by agreement. If we can secure those land interests by way of Options, we can discontinue with the CPO process. Further engagement with landowners is planned for the end of August. The landowners will be informed that we are progressing a CPO but only as a last resort and we will then make the offers for the acquisition of the rights by agreement.

### **Legal Considerations**

The use of CPO powers must be as a last resort. An acquiring authority must be able to demonstrate that they have done all they can to acquire the land by negotiation. It is therefore important for TfGM to now make offers to acquire the land interests required for the Scheme.

TfGM's CPO powers are contained within the general powers of Passenger Transport Executives within s10 of the Transport Act 1968 and if required will be relied upon to secure the creation of the station only. The powers cannot be utilised for the wider masterplan elements of the Project, specifically the public access to Wigan Centre over land owned by Wigan Council and the Public House.

### **Financial Consequences – Revenue**

### **Financial Consequences – Capital**

The costs of securing the land required is by way of grant funding as referred to in paragraph 1.5 of this report

### **Number of attachments to the report: 0**

### **Comments/recommendations from Overview & Scrutiny Committee**

N/A

### **Background Papers**

None

## **Tracking/ Process**

Does this report relate to a major strategic decision, as set out in the GMCA Constitution?

Yes

## **Exemption from call in**

Are there any aspects in this report which means it should be considered to be exempt from call in by the relevant Scrutiny Committee on the grounds of urgency?

No

## **Bee Network Committee**

N/A

## **Overview and Scrutiny Committee**

N/A

# 1. Introduction

- 1.1. The Trailblazer Devolution Deal highlights the shared understanding between Greater Manchester and the Government of the importance of good quality rail infrastructure and services for the future of our towns and cities. A new station for GM, in Golborne, presents an opportunity to create new local rail connectivity and give people an easier choice to catch a train rather than rely on the car; this is particularly important for the quarter of households in Greater Manchester without any access to a private vehicle.
- 1.2. The area around Golborne, Lowton and Leigh is one of the largest in Greater Manchester without a railway station and, at the moment, local residents face a long trip of over one-hour to get into Manchester city centre. This lack of connectivity hinders people's ability to get to work, school, college and university, or to enjoy Manchester's world-class cultural scene. Poor connectivity inhibits growth and productivity and makes it more difficult for places to thrive.
- 1.3. This new station will help Golborne and surrounding communities and make them even better places to live.
- 1.4. Nearly 3,000 people responded to the public consultation on the proposals for Golborne Station, over 93% of which support (84% strongly support) the plans. This powerful response from the community reflects the long-standing momentum behind a new rail station for this part of Greater Manchester.
- 1.5. In January 2021 GMCA approved Transforming Cities funding for development and delivery of a new rail station in Golborne. Subsequently, further funding from the City Region Sustainable Transport Settlement (CRSTS), has been allocated to this scheme, which now includes wider enhancements for the town centre (as part of the Golborne Masterplan). The scheme currently has an overall budget of £32 million.
- 1.6. Under the CRSTS allocation Golborne New Station has been categorised as a 'Retained' scheme (on the grounds of Network integration). Therefore, the DfT will need to approve the business case at the appropriate points.
- 1.7. The scheme has progressed to the end of Outline Design (ES4) and work is currently taking place to prepare for submission of the planning application, land negotiations and a tender for the detailed design and build.

- 1.8. The Outline Business Case was submitted to the DfT (under CRSTS retained scheme governance) in March 2024. The DfT's OBC review concluded in July's West Coast North Programme Board (WCNPB), where the scheme was endorsed to progress to Detailed Design, subject to Ministerial approval and a number of conditions, most notably;
- Project to provide passive provision for alternative operational arrangements;
  - Project maintains consideration of Trilink programme and future HS2 development;
  - Further work also looks at re-modelling of the timetable / running further sensitivity tests; and
  - Detailed power modelling to be conducted with Network Rail.
- 1.9. The DfT will now make a recommendation to Government ministers to progress and a formal decision is anticipated sometime in Autumn 2024.
- 1.10. An additional DfT/Rail industry review of the project is required in early 2025 to consider updated HS2 timetables.
- 1.11. Further development on the existing option, progressing the planning application and securing the land interests must be progressed in September 2024 to prevent delay to the scheme and delivery of the committed benefits of the new station at Golborne.
- 1.12. The provision of the new station at Golborne requires planning permission, acquisition of adjacent land (including residential) and temporary use of third party land to enable the delivery of the scheme. In order to maintain the planned schedule and meet public commitments for the station to be delivered in 2027, it is proposed to submit the planning application in September 2024 and commence the activities required to progress the 'formal' land negotiations and acquisition, including the preparation of a CPO and supporting documentation. At this stage it is likely that the land interests will be secured by way of an Option Agreement.

## **2. Background to Land Requirements**

- 2.1. In February 2023, TfGM finalised the option selection for the Golborne station, concluding the best location for a new station at Golborne would be on the fast lines. The rationale for the decision to build the station on the fast lines of the West

Coast Main Line (WCML) is driven by both the outputs of the timetable performance modelling and industry feedback.

- 2.2. In the emerging design for delivering platforms on the fast line of the WCML it became apparent that this option requires an element of land acquisition from adjacent residential gardens. ES4 (Outline Design) as appended has been developed for this option.
- 2.3. A Public Consultation has been undertaken in conjunction with Wigan Council, this concluded in February 2024. The consultation received 3000 responses, over 93% of which supportive (84% strongly supportive) of plans for the new station. Pre-planning was carried out and a formal planning application is being developed to gain the necessary consents to deliver the scheme.
- 2.4. Public commitments, including the station being a priority in the Greater Manchester 2040 Transport Strategy and Five Year Delivery Plan, have been made for the new station to be delivered in 2027 and should planning and land negotiations not commence, as set out within this report, the scheme will not be delivered within these timescales, delaying the delivery of the benefits for this high profile scheme. By securing the land interests by way of Option at this stage, we can limit our exposure to the land acquisition costs as we would only exercise the Options and acquire the land once scheme delivery was certain.

### **3. Land Requirements**

- 3.1. Four residential properties, 2 Primary schools and a commercial property are directly impacted by this scheme with permanent acquisition and temporary use of land required for the delivery of the new station and town centre enhancements. See Plan annexed.
- 3.2. Ahead of the Public Consultation, face to face engagement was undertaken with affected property owners in December 2023 and ongoing dialogue has continued to ensure the property owners remain engaged and informed about the project.
- 3.3. TfGM will endeavour to secure all land required for the Scheme by agreement with affected landowners in advance of compulsory purchase. This will most likely be by way of Option Agreements. However, in order to avoid the risk of non-delivery within the funding timescales the CPO and Statement of Case will be prepared.

- 3.4. TfGM's Land Agents undertook a Land Cost Estimate in December 2023. These assessments were calculated in accordance with the Market Value principles set out in the statutory Compensation Code.
- 3.5. The Land Agents advise that in parallel to the planning application being submitted, that formal offers are made to enable TfGM to secure the necessary land interests to avoid the need for CPO. The Option Agreements, if achieved, will be preferable as they will not compel TfGM to acquire the land.

## **4. CPO Powers**

- 4.1. As set out above, TfGM can only use its CPO powers as a last resort and must demonstrate that it has tried to acquire the land interests by way of negotiation. Discussions are progressing well with affected landowners, however the CPO paperwork will be prepared in parallel until the property interests are legally secured so that the Scheme programme is not jeopardised, should negotiations ultimately break down.
- 4.2. Consideration was given to the use of TfGM's, GMCA's and WMBC's available CPO powers to ensure that all elements of the project could be acquired as well as reducing the potential for legal challenge. Following discussions with all parties' legal teams it was concluded that the scheme would utilise TfGM's compulsory acquisition powers (section 10(3) of the Transport Act 1968 ("the TA Power")).
- 4.3. Whilst TfGM's CPO powers cover the station elements, they do not cover some of the land required for wider Masterplan improvements, specifically the Wigan Council owned car park, a strip of unregistered highway connecting the car park and High Street and a parcel of land belonging to a commercial land owner. The project team will continue to negotiate the acquisition of these elements of land to ensure the wider benefits of the scheme are realised.
- 4.4. Under the Transport Act, where a Transport Executive utilises its powers to compulsory acquire land, it is the Authority that must submit the draft Order to the Minister to authorise the Order. Accordingly, TfGM are seeking GMCA approval to commence drafting the CPO documents with the intention of bringing a report back to GMCA once the Order and supporting documents are ready for submission to the Minister and it is certain that we must progress the CPO.

